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| <b>IN THE<br/>UNITED STATES<br/>PATENT AND<br/>TRADEMARK OFFICE</b> | <i>Application Number</i>     | 10/779,585        |
|   | <i>Filing Date</i>            | February 12, 2004 |
|   | <i>First Named Inventor</i>   | WILLIAM H. EBY    |
|   | <i>Group Art Unit</i>         | 1638              |
|   | <i>Examiner Name</i>          |                   |
|   | <i>Attorney Docket Number</i> | 1421-152          |
| <i>Title of the Invention:</i> <b>SOYBEAN CULTIVAR 0509254</b>      |                               |                   |

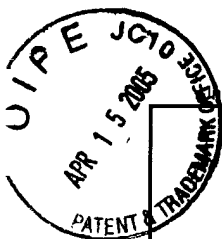
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| <b>RESPECTFULLY SUBMITTED,</b>  |   |                  |                      |                 |              |
| <b>NAME AND<br/>REG. NUMBER</b> | Kenyon L. Schuett, Reg. No. 44,324                              |                  |                      |                 |              |
| <b>SIGNATURE</b>                | <i>Kenyon L. Schuett</i>  | <b>DATE</b>      | <i>April 8, 2005</i> |                 |              |
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| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br>(Use as many sheets as necessary) |   |    | Application Number       | 10/779,585             |          |
|   |   |    | Filing Date              | February 12, 2004      |          |
|   |   |    | First Named Inventor     | WILLIAM H. EBY         |          |
|   |   |    | Art Unit                 | 1638                   |          |
|   |   |    | Examiner Name            |                        |          |
| Sheet   | 1 | of | 2                        | Attorney Docket Number | 1421-152 |

| U.S. PATENT DOCUMENTS |                          |  |                                |  |   |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                       |                          | Number-Kind Code <sup>2</sup> (if known) |                                |  |   |
|                       |                          | US- 5,523,520                            | 12-15-1996                     | Hunsperger, et al.                                 |   |
|                       |                          | US-5,850,009                             | 12-15-1998                     | Kevern, T. C.                                      |   |
|                       |                          | US-5,304,719                             | 04-19-1994                     | Segebart, R. L.                                    |   |
|                       |                          | US-5,367,109                             | 11-22-1994                     | Segebart, R. L.                                    |   |
|                       |                          | US-5,968,830                             | 10-19-1999                     | Dan et al.   |   |
|                       |                          | US-5,973,236                             | 10-26-1999                     | Eby, W. H.   |   |
|                       |                          | US-                                      |                                |  |   |
|                       |                          | US-                                      |                                |  |   |
|                       |                          | US-                                      |                                |  |   |
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| FOREIGN PATENT DOCUMENTS |                          |   |                                       |   |  |                |
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| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   | Publication<br>Date<br>MM-DD-<br>YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns,<br>Lines,<br>Where Relevant<br>Passages<br>Or Relevant Figures<br>Appear | T <sup>6</sup> |
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| Examiner<br>Signature | Date<br>Considered |
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| Sheet  | 2 | Of | 2                        | Attorney Docket Number | 1421-152 |

| NON PATENT LITERATURE DOCUMENTS |                       |  |                |
|---------------------------------|-----------------------|--|----------------|
| Examiner Initials*              | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 |                       | Eshed, et al., 1996. Less-than-additive epistatic interactions of quantitative trait loci in tomato. Genetics 143:1807-1817  |                |
|                                 |                       | Kraft, et al., 2000. Linkage disequilibrium and fingerprinting in sugar beet. Theor. App. Genet. 101:323-326   |                |
|                                 |                       | Willmot, et al., 1989. Genetic analysis of brown stem rot resistance in soybean. Crop Sci. 29:672-674  |                |
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